**HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE**
**AND**
**HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY**

**Writ Petition No.27355 of 2006**

Between

Ch.Vishnu Prasad Rao ..Petitioner

AND

State of Andhra Pradesh represented by its Principal Secretary, Department of Health and Family Welfare and others ..Respondents

**:: JUDGMENT ::**

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| Counsel for the petitioner | Sri M.A.Shakeel |
| Counsel for respondents | Government Pleader for Medical and Health |

**3.1.2007**

**Per G.S.Singhvi, CJ**

In this petition, the petitioner has prayed multi-fold prayers, which are extracted below:

> "For the reasons mentioned in the accompanying affidavit and under the above said facts and circumstances, in the interests of justice, it is therefore most humbly prayed that this Hon'ble Court may graciously be pleased to issue a Writ, Order or Direction, more particularly one in the nature of a Writ of Mandamus or any other appropriate Writ, directing the respondents to:
>
> 1. Provide for ARV treatment to all PLWHA's in the State without delay.
> 2. Provide for atleast two CD4 machines in each of the District Hospitals in the State.
> 3. Provide the CD 4 test free of cost for positive people and make it mandatory to carry out a CD4 test immediately after HIV diagnostic test; and again at least once in three months for every positive person.
> 4. Provide for a spare replaceable CD 4 machine to be available, at every district hospital at all times in case the existing CD 4 machine becomes dysfunctional.
> 5. Ensure adequate and timely medicines and nutritional food and supplements to be provided to all the positive persons.
> 6. Create adequate and proper infrastructure in these public health institutions including qualified, trained and sensitive personnel of doctors and paramedics to handle the machines in a proper manner; including access to clean drinking water, clean urinals, a stock of medicines, stock of gloves, HIV and other medical kits etc., to be maintained and made available at all district hospitals, ART centres, VCTC's, PPTCT's, short stay homes etc.,
> 7. An integrated health service system, with adequate doctors and counters, be developed so that a positive person may avail all the facilities of treatment for HIV and opportunistic infections at one place without having to shuttle to multiple institutions.
> 8. To establish and maintain Short stay Homes, with adequate facilities within the vicinity of each District Hospital for the benefit of positive persons who travel from the various districts for availing of treatment for

HIV/AIDS and related illnesses.

9. Set up a Committee consisting of two positive persons from the Positive Network groups, NGO's and Hospital and a doctor to look into the proper functioning of the CD 4 machines and submit quarterly reports to this Hon'ble Court.
10. Provide uninterrupted and non-discriminatory treatment for all positive regardless of their sexual orientation, such as sexual minorities, in partic7ular MSM's and eunuchs.
11. Provide houses on a priority basis to all PLWHA's, in particular the young widows under the Rajiv Gandhi Gruhakalpa Pathakam.
12. Immediately Provide Antyodaya Anna Yojana Cards to all the PLWHA's who are in need of the same.
13. Immediately make arrangements for the provision of Second Line drugs for all those who require the medication.
14. Provide conveyance to the PLWHA's who come from the districts for HIV and related treatment.

Since the issues raised by the petitioner are already under consideration in two other cases, we do not deem it proper to entertain this petition and dispose of the same with liberty to the petitioner to file an application for his impleadment/ intervention in the pending matters.

**G.S.SINGHVI, CJ**

**C.V.NAGARJUNA REDDY,J**

3.1.2007.
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